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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,933	07/25/2003	Kamran Kohan	100.535US01	5412

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EXAMINER

DUVERNE, JEAN F

ART UNIT PAPER NUMBER

2839

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/626,933

Applicant(s)

KOHAN, KAMRAN

Examiner

Jean F. Duverne

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40-56, 67 and 68 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 9-12, 14, 25-28, 30-33, 35, 57, 58, 60, 62, 63, 65 and 66 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 13, 15-24, 29, 34, 36-39, 59, 61 and 64 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7, 11-12, 14, 25-28, 32, 35, 57-58, 62-63, 65-66 are rejected under 35 U.S.C. 102(b) as being anticipated by Solheid et al (US 20030095772A1).

Solheid's device disclose a system for managing and routing one or more data cables, the system comprising: a telecommunications enclosure (10) having an external surface, wherein the telecommunications enclosure is adapted to house at least one or more data cables or fiber cable (332); reference (110) read as a cable routing station coupled to the external surface of the telecommunications enclosure, the cable routing station adapted to selectively route at least one of the one or more data cables out of the telecommunications enclosure, wherein the route provides a bend radius (see paragraph 0055) for the at least one of the one or more data cables within a predetermined standard; wherein at least one of the data cables is an optical fiber; wherein the telecommunications enclosure has a top end and front end (see figs 1 and 4), and further wherein the cable routing station at 110 is coupled to the top end other telecommunications enclosure and approximately adjacent to the front end of the telecommunications enclosure; wherein the cable routing station comprises: a rear face

Art Unit: 2839

having a front surface and a first edge extending along a length of the front surface; a bottom plate (12) extending from the first edge of the rear face at a select angle from the front surface of the rear face; and a plurality of cable routing clips (see figs. 12-14) coupled to the front surface of the rear face adapted to route the one or more data cables in a select direction; one or more data cable in an optical fiber, cables guide with peg (see figs. 12-14 or paragraph 0064).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-10, 30-33, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solheid et al (US 20030095772A1).

Solheid's device discloses the aforementioned limitations, but fails to explicitly disclosed the size or the shape of the rear face. It would have obvious matter of design choice to have to have the rear face with different shape or size, since such modification would have involved a mere change in shape or size of the component. In re Dailey, 149 USPQ 47 (CCPA 1976) or In re Rose, 105 USPQ 237 (CCPA 1955). It would have obvious to one having ordinary skill in the art at the time the invention was made to have of the rear with different shape or size in order to meet special specification and requirement in housing portions in Solheid's device.

Conclusion

4. Claims 6, 8, 13, 15-24, 29, 34, 36-39, 59, 61, 64 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prior art fails to disclose the cable guide with rotating hinging features and the routing guide with eyebrows limitations conforming to the bent radius with the rest of the claims limitations.

5. Claims 40-56, 67-68 are allowed (see allowable subject matter stated above).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Duverne whose telephone number is (571) 272-2091. The examiner can normally be reached on 9:00-7:30, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 2839

Business Center (EBC) at 866-217-9197 (toll-free).

JFD

01/03/2005

A handwritten signature in black ink, appearing to read 'Jean Frantz Duverne', with a long horizontal flourish extending to the right.

Jean Frantz Duverne
Primary Examiner
Art Unit 2839